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Cyber Broadband is an innovative start-up company that provides wireless broadband internet service to outlying areas with few viable options for broadband internet access. We were incorporated in 2004 and are locally owned and operated.

December 21, 2012
VIA ELECTRONIC SUBMISSION

Martenle H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WT Docket No. 11-49

Dear Ms. Dortch,

Cyber Broadband is a company based in Cullman County - in the center of North Alabama, situated between the cities of Huntsville and Birmingham. Our company was founded in 2004 when we realized citizens whom lived outside of the geographical populous areas, the city limits of Cullman if you will, or Cullman County - had few to no options for broadband internet connectivity. Cyber Broadband responded to this need by evaluating available technology (hearing of the hype of "WiMax" at the time), and settled on a platform to deliver broadband internet connectivity to rural areas known as Motorola Canopy. This system delivers broadband via radio - mostly in unlicensed ISM bands - Industrial, Scientific, and Mechanical - which are **unlicensed** bands available for **public** use. Other devices which use ISM bands include wireless routers, wireless baby monitors, cordless phones, automatic wireless car door openers, and many others. Cyber Broadband selected the 900 mhz canopy wireless platform as the thick tree cover in the state of Alabama prohibited using other "line of sight" bands - as less than 2% of our customers can actually "see" a tower, and the 900 mhz band is the only radio band of the ISM bands that allows for near-line-of-sight connectivity. Since launching our company in 2004, we now serve over 500 customers - almost exclusively using 900 mhz Motorola Canopy.

As Cyber Broadband grew, we joined a trade association called WISPA, or the Wireless Internet Service Providers Association, and through this association's communication, we have learned of a new product test, Progeny, which WISPA helped participate in a product test to test for interference. Already our customers are asking for higher and higher levels of throughput - as the three meg we are able to deliver using the Canopy 900 mhz platform is now limiting - although it was state of the art when we deployed. We understand if Progeny is able to develop and launch their product as a **licensee** of the 900 mhz band, their signal would greatly impact not only our radio network, but other radio networks which use the same frequency band. Even if the signals put out by Progeny did not completely disrupt the operating ISM band of 900 mhz, the interference put out by the broadband could easily reduce the available operating speed of our system. Additionally, our system is **the only option for broadband** for many of our customers. They have stated the data caps and latency of other systems - such as satellite and cellular connectivity - are simply just not usable nor acceptable.

After reviewing the results of the tests WISPA conducted, we feel approval of this product could cause severe and irrevocable damage to not just the Cyber Broadband network, but to thousands of similar networks operated by smaller operators such as ourselves. If we were forced to build around this network, the costs of having to re-engineer our network or build out additional transmission sites could simply make our business no longer sustainable. Not only does this create a significant barrier to expansion, but it could introduce a substantial barrier to economic growth in our area we well. We are regularly working with adjacent counties to expand our network to help take care of their broadband needs - and obviously, if this program were allowed to continue - it would put a substantial damper on any additional investment we could make.

In light of the situation we face - and many other operators nationwide face - we hereby request that the FCC DENY APPROVAL of Progeny's proposed nationwide operations. We feel the advantages of Progeny's rollout are simply not justified by the **massive loss of internet connectivity** rural America could face if the FCC does not act.

We thank you for your time and for respecting our interests.

Sincerely,



Jay Fuller
Chief Executive Officer
Cyber Broadband Inc.